

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

GREGORY S. TAYLOR

*

Petitioner

*

v

*

Civil Action No. RWT-11-2137

UNITED STATES OF AMERICA

*

Respondent

*

MEMORANDUM OPINION

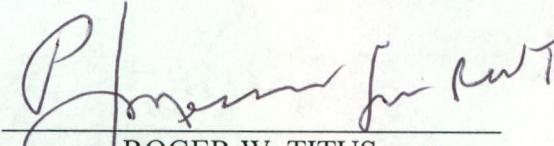
On August 1, 2011, correspondence was received from Petitioner alleging that too many “points” have been assigned, increasing Petitioner’s security level. Additionally, Petitioner claims a detainer was improperly lodged against him for obstruction of justice.

To the extent Petitioner is asserting a claim regarding the legality of the sentencing proceeding in his criminal case, the correspondence is in the nature of a motion to vacate filed pursuant to 28 U.S.C. §2255. Petitioner currently has an appeal pending with the Fourth Circuit Court of Appeals and relief pursuant to a motion to vacate is not available at this time. See Rules Governing § 2255 Proceedings, Rule 5, advisory committee note; see also United States v. Cook, 997 F. 2d 1312, 1319 (10th Cir.1993).

To the extent Petitioner is asserting a claim regarding the Federal Bureau of Prisons interpretation of his sentence, the Petition for Writ of Habeas Corpus must be filed in the jurisdiction where Petitioner is confined. See 28 U.S.C. § 2241(a). Petitioner is confined in Allenwood, Pennsylvania. This Court does not have jurisdiction to consider Petitioner’s claim with respect to the interpretation of his sentence by Allenwood prison’s personnel.

By separate order, which follows, the Petition for Writ of Habeas Corpus shall be denied without prejudice.

8/24/11
Date



ROGER W. TITUS
UNITED STATES DISTRICT JUDGE